

REMARKS

Claims 1-17 and 20 are currently pending in the application. Independent claims 1, 2, 8-17, and 20 have been amended. New claim 21 has been added.

On page 3 of the Office Action, claims 1-17 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,477,533 (Schiff) in view of U.S. Pat. No. 5,948,040 (DeLorme) in view of U.S. Pat. No. 6,266,648 (Baker) in view of U.S. Pat. No. 6,622,125 (Cragun) in view of U.S. Pat. Pub. No. 2001/0044788 (Demir) or in view of U.S. Pat. No. 5,918,209 (Campbell).

Schiff is directed to a system for tracking agent interaction with customers implemented in a web server environment. In the Schiff system, a plurality of remote users utilizing web browser programs electronically communicate with the system via a data communications network. According to Schiff, the system includes an electronic customer database configured to store information about a plurality of customers and an electronic agent database configured to store information about a plurality of agents. The system also includes a cruise selling and booking system.

DeLorme is directed to a computerized travel reservation information and planning system that generates "map ticket" output in various media, for guidance and transactions en route. According to DeLorme, the Travel Reservation and Information System (TRIPS) permits a user to custom-define and examine a travel route and/or plans based upon answers to questions. The TRIPS is capable of determining, reserving, and/or ticketing locations along a travel route between a user-selected travel origin and travel destination, including user-selected waypoints of interest along a way, according to DeLorme.

Baker is directed to a computer system and method for permitting a consumer to more effectively make use of a variety of available benefits from a plurality of goods and service providers, wherein the benefits are offered specifically to those consumers having an association with one or more enabling organizations. The system includes a memory for storing consumer information, enabling organization information and benefit correlation information.

Cragun is directed to an automated sales promotion selection system using neural networks to identify promising sales promotions based on recent customer purchases. The system includes a customer information device that receives customer data relating to customer purchases of items from an inventory of items, a central processing unit having a sales promotion neural network and a storage unit containing a plurality of item identifiers.

Demir is directed to a system and method for pricing air charter services. The system includes a programmed computer, a storage device, a demand forecasting module, a demand matching module, and an intelligent pricing module. According to Demir, the intelligent pricing engine prices air charter services based upon demand matching and forecasting.

Campbell is directed to a method and system for determining marginal values for perishable resources expiring at a future time. Data for the perishable resources and composite resources is loaded from a perishable resource revenue management system into the marginal value system. Internal data structures are constructed for linking each of the perishable resources to their associated composite resources and for linking each of the composite resources to their associated perishable resources.

Campbell discloses a method and system for determining values for perishable resources expiring at a further time. In reference to FIG. 2B, when an airline reservations system 14 receives a booking request for a flight, the system compares the summation of marginal values and the net value of the reserved flight, and accepts the reservation when the net value exceeds the summation of marginal values. Campbell also discloses that the marginal values are determined based upon a demand curve (see FIGs. 7A and 7B).

Applicants respectfully submit that the fact that the Examiner is using so many references in the rejection supports Applicants' position that the claims of the present invention are not obvious.

Applicants further respectfully submit that currently amended independent claims 1, 2, 8-17, and 20 are patentable over the references, as none of the references, taken alone or in combination, teach or suggest, ". . . discount services are determined *based on a rate of reservation* which is obtained on the basis of calculating results of coefficients defined for factors affecting the transaction, and numbers of transaction reservations." See claim 1, emphasis added.

Contrary to the Examiner's assertion on page 3 that Schiff discloses presenting information on discount services, Schiff does not present information on discount services, much less presenting information on discount services wherein the services are determined based on a rate of reservation. Rather, the cruise selling and booking system of Schiff merely provides selectable criteria related to booking a cruise such as cabin occupancy and sailing date preferences. See Schiff, column 20, lines 38-45.

As DeLorme, Baker, Cragun, and Campbell add nothing to Schiff, the above-identified claims of the present invention are patentable over the references. Although Demir discloses

that a price discount is generated based upon demand matching information, the discount information is provided according to whether an aircraft is in use. Thus, if the aircraft is already in use, the cost is reduced. As Demir does not provide information regarding determining discount services *according to a rate of reservation*, Demir does not teach or suggest the above-identified feature of the claims. Merely offering a reduced price based on availability is not tantamount to or related to determining discount services according to a rate of reservation, as in the present invention.

Further, Applicants submit that Demir discloses a method and system for dynamically pricing air charter services. The Examiner points out that Demir teaches, in step S160, generating a price discount based upon the demand matching information (see paragraph 0077). Demir's demand matching information is, as described in Step 140, information on the case where demand is matched based upon trip request information, maximum time allowance and demand forecast, in which the trip request information apparently is information about a request made by a passenger (see paragraph 0076). Moreover, Demir discloses that the trip request information is an important factor for determining the price (see paragraph 0072).

In contrast, the present invention does not need information supplied by a customer, as the present invention discloses that the service is determined based on a rate of reservation obtained by calculation results of factors affecting the discount services, which is provided by service providers such as shops. Hence, the present invention is unobvious in light of the Demir and the other references for the above-identified reason, in addition to the other reasons presented above.

In light of the foregoing, claims 1, 2, 8-17, and 20 are patentable over the references. As the dependent claims depend from the independent claims, the dependent claims are patentable over the references for at least the reasons presented above for the independent claims.

Applicants respectfully submit that new claim 21 is patentable over the references, as none of the references, taken alone or in combination, teach or suggest, "electronically determining discount services based on a rate of reservation; and presenting said discount services in accordance with said rate."

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Serial No. 09/693,919

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

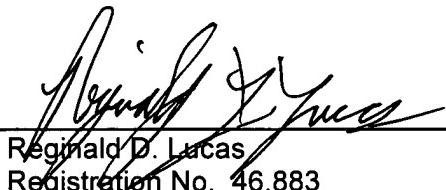
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2-7-06

By:


Reginald D. Lucas
Registration No. 46,883

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501